

## **REMARKS**

Claims 1-7 are the claims currently pending in the Application.

### ***Rejection of Claims 1-4 under 35 U.S.C. § 103***

Claims 1-4 are rejected under 35 U.S.C. § 103 as being obvious from Twitchell et al., U.S. Patent No. 6,222,483 in view of Krasner, U.S. Patent No. 5,841,396. This rejection is traversed.

Claim 1 requires that a received GPS signal is used by the mobile terminal to obtain position data of the mobile telephone. Claim 1 further requires that this position data be transmitted by the base station to the mobile telephone and further requires that this position information be used by the mobile telephone instead of the position data of the mobile telephone.

Twitchell does not disclose or suggest that the base station transmits position information of the base station to the mobile telephone to enable the mobile telephone to use the position information of the base station instead of the position data of the mobile telephone apparatus itself. The Examiner acknowledges this deficiency of Twitchell (Paper No. 12, page 3; Paper No. 10, pages 2 and 3), but alleges that Krasner discloses these features.

Krasner discloses that a base station transmits to the remote station satellite information from the base stations GPS receiver to calibrate the oscillator used by the GPS of the remote terminal (Krasner, Abstract). Krasner discloses that this satellite information may include almanac data and satellite ephemeris data, which are

used as background data by the GPS of the remote terminal. The Examiner alleges that Krasner's Figure 1 shows a base station comprising a GPS receiver (element 12) and that "GPS receivers normally determine their position and transmit position information to the mobile telephone apparatus (see Figures 1, element 14, 16 and 20A) ."

However, merely because Krasner discloses a base station with a GPS, it does not follow that: (1) Krasner discloses that the base station transmits to the mobile station position information of the base station; or (2) that the mobile uses this position information of the base station instead of the position data of the mobile, as *inter alia* required by independent claim 1. In fact, Krasner does not disclose these features. Krasner explains what types of information the base station transmits to the remote terminal to enable the remote to determine its own position information, as discussed above. Thus, Twitchell and Krasner, even taken together in combination as a whole, do not disclose or suggest the recitations of independent claim 1.

In fact, Krasner and Twitchell belong to the prior art recognized by Applicant's claimed invention, because Twitchell and Krasner do not identify the problem recognized by Applicant's claimed invention (see by way of illustration, the discussion in Paper No. 11), let alone disclose or suggest the solutions provided by Applicant's claimed invention. By way of illustration, the cited references do not disclose or suggest using the position information of the base station in the mobile telephone, instead of the position information of the mobile telephone itself.

Claims 2-4 depend from independent claim 1, and thus incorporate novel and nonobvious features thereof. Therefore, claims 2-4 are patentably distinguishable

over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

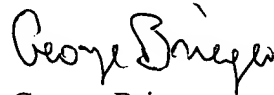
***Rejection of Claim 7 under 35 U.S.C. § 103***

Claim 7 under 35 U.S.C. § 103 as being obvious from Twitchell and Krasner in view of Ishigaki, U.S. Patent No. 6,121,921. This rejection is traversed.

Claim 7 depends from independent claim 1, and thus incorporates novel and nonobvious features thereof. Ishigaki does not remedy the deficiencies of Twitchell and Krasner as they relate to Applicant's invention as claimed in independent claim 1. Therefore, claim 7 is patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art.

Accordingly, for at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable and therefore, respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



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